

251 S. 3 West  
Vernal, Utah  
May 14, 1964

Hon. Wayne D. Criddle  
Utah State Engineer  
Capitol Building  
Salt Lake City, Utah

Dear Sir:

Registered Mail - Return Receipt Requested

In re: Colorado Pot Creek Rights

On several occasions I have mentioned to you and your staff that the Massey Brothers claim in Colorado should come out of the Crouse claim because Crouse owned Massey Brothers Ranch and water rights at the time the federal stipulated decree was entered into, civil No. 356, Stanley Crouse vs Zeph S. Calder, June 21, 1944, wherein he stipulated to take as his share of the waters of Pot Creek five second feet measured through the Matt Warner Reservoir.

Stanley Crouse and/or the Browns Park Livestock Company purchased the Offield Ranch, which included the claim of  $2\frac{1}{2}$  second feet of the direct flow of Pot Creek and which water claim was filed in 1914.

Several years after said referred to decree was stipulated to by him he sold this ranch and water to Lewis and Ainge. They, in turn, sold it to Massey Brothers. This is common knowledge to most people in Vernal. It is also on the records of Moffatt County, Colorado.

WOULD YOU PLEASE TAKE NOTICE that it is gross error to take the above mentioned  $2\frac{1}{2}$  second feet of water away from my right to use that water, and take further notice that I have searched the records and find no decree wherein this right has come up for adjudication except the order of the court, filed in Daggett County August 23, 1960, civil No. 2688, which provides for the delivery only of 62 acre feet of water for delivery to the holders of water rights in the state of Colorado.

I deem it a great travesty of justice and grossly in error to attempt to deliver the above mentioned Massey right out of the Matt Warner Reservoir without it coming from the original Crouse right of five second feet.

Please take further notice that no competent and impartial engineer would examine Pot Creek and say that  $3\frac{1}{2}$  second feet, or even 6 second feet, would flow down Pot Creek for 25 miles without a complete loss.

Hon. Wayne D. Criddle

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I trust that you will see fit to close the Matt Warner headgate immediately before irreparable loss is suffered to all stock watering, irrigation, and fish culture rights in the Matt Warner Reservoir.

Respectfully yours,



Zelph S. Calder

ZSC:tc

